

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA**

Randie Lee Granger,

Plaintiff,

v.

Rhodes. Asst. Director Lauzon, Lt. S.

Chomp, Corp Shover, Whalen,

Montgomery, Corp. Kidder,

Defendants.

Case No. 8:25-cv-509-RMG

ORDER

Before the Court is the Report and Recommendation (R&R) of the Magistrate Judge recommending summary dismissal of Plaintiff's action. (Dkt. No. 12). No objections were filed. For the reasons set forth below, the Court adopts the R&R as the Order of the Court and dismisses Plaintiff's claims without prejudice, without issuance and service of process, and without leave to amend.

I. Introduction

Plaintiff, a pretrial detainee at the J. Reuben Long Detention Center in Horry County, South Carolina filed this action seeking relief for alleged censorship by the Detention Center in its selection of television channels. He also complains that one of the detention officers disparaged his support for President Trump. The Magistrate Judge recommended the summary dismissal of this action for failure to prosecute under Rule 41 of the Federal Rules of Civil Procedure and the failure to state a claim upon which relief could be granted. The Magistrate Judge offered Plaintiff the opportunity to amend his complaint but no amended complaint was forthcoming. Upon issuing the R & R recommending the summary dismissal of the complaint, the Magistrate Judge gave Plaintiff notice that he had fourteen days to file any written objections to the R & R and the failure

to file written objections would result in only clear error review and a waiver of the right to appeal the District Court's order. (Dkt. No. 12 at 12). Plaintiff filed no objections to the R & R.

II. Legal Standard

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility for making a final determination remains with this Court. *Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). The Court is charged with making a *de novo* determination only of those portions of the Report to which specific objections are made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1). In the absence of specific objections, the Court reviews the Report for clear error. *See Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that “in the absence of a timely filed objection, a district court need not conduct a *de novo* review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’”) (quoting Fed. R. Civ. P. 72 advisory committee's note).

III. Discussion

The Magistrate Judge properly found that Plaintiff has failed to state any viable claim and has also failed to prosecute his case under Rule 41. The Magistrate Judge correctly concluded that Plaintiff's complaint was subject to summary dismissal, without prejudice, without issuance and service of process, and without further leave to amend.

IV. Conclusion

In light of the foregoing, the Court **ADOPTS** the R & R of the Magistrate Judge (Dkt. No. 12) as the order of the Court and **SUMMARILY DISMISSES** this action without prejudice, without the issuance and service of process, and without leave to amend.

AND IT IS SO ORDERED.

s/ Richard Mark Gergel
Richard Mark Gergel
United States District Judge

March 24, 2025
Charleston, South Carolina